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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/529,354

03/25/2005

Alphons Antonius Bruekers

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

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BRIARCLIFF MANOR, NY 10510

EXAMINER

SHEN, KEZHEN

ART UNIT

PAPER NUMBER

2627

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/529,354	Applicant(s) BRUEKERS ET AL.	
	Examiner KEZHEN SHEN	Art Unit 2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: the carrier device's relationship to the coupling element.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1-2, 4-6 and 8-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Taguchi et al. US 6,359,842 B1.

Regarding claim 1, Taguchi et al. teach a record carrier (Figs. 5a-5d) having a first area (41, 46, 51 and 56 of Figs. 5a-5d) for storing a first kind of information (Col 3 Lines 41-44) and further having multiple second areas (Figs. 5a-5d, Col 5 Line 53- Col 6 Line 8) each designed for comprising a coupling element to a device for reading and/or writing the record carrier (Figs. 5a-5d, Col 3 Line 62-Col 4 Line 10), the distribution of

the coupling elements on the record carrier encoding a third kind of information (Col 3 Lines 50-61).

Regarding claim 2, Taguchi et al. teach a characterized in that the distribution of the coupling elements on the record carrier encodes a regional code indicating a geographical region the record carrier is valid for, and/or which standards the record carrier complies to, and/or the orientation in which the record carrier has been inserted into a device for reading and/or writing the record carrier (Col 3 Lines 54-61 the restriction of certain reproduction of information of the music or movies would imply a standard the disc follows).

Regarding claim 4, Taguchi et al. teach a record carrier as claimed in claim 1, characterized in that at least one of the second areas is designed for comprising a storage medium for storing a second kind of information (Col 3 Lines 54-61), the coupling element of the second area serving for coupling the storage medium to a device for reading and/or writing the record carrier (Col 3 Line 62-Col 4 Line 10).

Regarding claim 5, Taguchi et al. teach a record carrier as claimed in claim 4, characterized in that the second area is designed for comprising a chip (3 of Fig. 1a, Col 3 Lines 50-54) integrating the storage medium and the coupling element of that second area (2 of Fig. 1a, Col 3 Lines 42-54).

Regarding claim 6, Taguchi et al. teach a coupling element being designed for being attached to a second area of a record carrier as claimed in claim 1 (3 of Fig. 1a, Col 3 Lines 50-54).

Regarding claim 8, the limitations have been analyzed and rejected with reasons as set forth to the record carrier above in claim 1.

Regarding claim 9, the limitations have been analyzed and rejected with reasons as set forth to the record carrier above in claim 1.

Regarding claim 10, the limitations have been analyzed and rejected with reasons as set forth to the record carrier above in claim 1.

Regarding claim 11, the limitations have been analyzed and rejected with reasons as set forth to the record carrier above in claim 1.

Regarding claim 12, the limitations have been analyzed and rejected with reasons as set forth to the record carrier above in claim 1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taguchi et al. US 6,359,842 B1 as applied to claim 1 above, and further in view of Weber 7,017,190 B2.

Regarding claim 3, Taguchi et al. fail to teach a record carrier as claimed in claim 1, characterized in that at least one of the second areas is designed for detaching and/or attaching a coupling element to it.

However, Weber teaches an EPPROM chip which can be removable from a CD or DVD (Col 4 Line 23 Col 5 Line 3). Therefore, one of ordinary skill in the art would have found it obvious to combine the teachings of the memory chip on a disc as taught by Taguchi et al. with the removable EPPROM chip as taught by Weber as a whole for the following reason: one of ordinary skill in the art would have combined the teachings of the memory chip on a disc as taught by Taguchi et al. with the removable EPPROM chip as taught by Weber for the benefit of a security means for preventing unauthorized use.

Regarding claim 7, Taguchi et al. teach a carrier device, in particular a plastic film, with a coupling element (Figs. 5a-5d). The Examiner takes Official Notice that optical discs made out of a plastic material are old and well known in the art.

Therefore, it would have been obvious to one of ordinary skill in the art to make the carrier device attached to the coupling element out of a plastic material since it is a known material for making optical discs that is cost effective.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kezhen Shen whose telephone number is (571)270-1815. The examiner can normally be reached on Monday-Friday 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (571)272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kezhen Shen/
Examiner, Art Unit 2627

/William R. Korzuch/
Supervisory Patent Examiner
Art Unit 2627